



# Town Council Agenda Report

**SUBJECT:** Quasi Judicial Hearing: Rezoning

**CONTACT PERSON/NUMBER**

Name: Mark Kutney, AICP  
Phone: (954) 797-1101

**TITLE OF AGENDA ITEM:**

ZB 5-1-99 "Davie Truck Stop" Bill Meyers, owner/petitioner - 4751 SW 30th Street /Generally located at the southeast corner of the Florida Turnpike and I-595, west of Burris Road.

**REPORT IN BRIEF:**

In March of 1997, an annexation agreement was executed to annex the subject site into the Town of Davie. It was the intent of the owner, Jolmy, to construct a truck stop facility on the site prior to the agreement. Upon execution of the agreement, Jolmy (owner) was given 30 days to file the necessary rezoning petition to the M-3 and/or B-3 zoning district. However, in the event the proposed uses were not permitted within these zoning districts, the Town Council agreed to consider developing and adopting a new zoning designation to permit all such uses on the property. These uses included a truck stop, gas station, convenience store, fast food restaurant, retail, truck service (major repair), warehouse (storage), office and hotel. During preliminary discussion with the owner, it was identified that there was no existing zoning district which would permit all the proposed uses and in December of 1999 the Town Council approved the TS, Planned Truck Stop District.

Subsequently, the petitioner is proposing to rezone the subject site to the appropriate TS zoning district. The proposed location of this use was previously determined to be the most appropriate site for the proposed uses and that it was compatible with the surrounding area subject to the setback, separation and landscape requirements set forth within the new TS zoning district.

The petitioner has provided a conceptual master plan as required by the TS ordinance, which is attached hereto. The petitioner has indicated that they intend to provide a 10 foot high landscape berm along the south property line to protect the existing trailer park to the south of the property from the impact of park trailer trucks. They also intend to provide AC/DC electrical outlets for the two long-term parking rows in this area which will allow the trucks to run their air conditioners without having to run their engines, thus eliminating any noise pollution. Twenty-four hour security will also be provided.

The commercial uses proposed on this plan will require compatibility review by the Broward County Department of Planning and Environmental Protection (DPEP) for the use of the Broward County "Industrial to Commercial" flexibility rule. No commercial development will be permitted on this site prior to County review. Staff has confirmed that the proposed hotel will require compatibility review with the Broward County Planning Council.

The owner is also required to provide a declaration of easements, conditions and restrictions, as outlined within the TS, Ordinance. This agreement will provide for unified control of the entire site for operation of maintenance, drainage, landscaping, parking, and cross-access, ect... The petitioner has indicated they are in the process of preparing this document and will provide it to staff prior to the Town Council meeting.

The annexation agreement also required the owner to provide funding for construction of rights-of-way to accommodate the proposed use. In addition, the Town worked with the owner in obtaining an Economic Development Transportation Fund grant using matching funds as leverage for additional roadway construction. Therefore, sufficient roadway capacity will be provided for this site.

**PREVIOUS ACTIONS:** On December 1, 1999, the Town Council approved Ordinance 99-42 establishing the TS, District (motion carried 4-0, Vice-Mayor Bush absent).

**CONCURRENCES:** On January 26, 2000, the Planning and Zoning Board recommended approval (motion carried 5-0) subject to the planning report and that the two long term parking areas at the southern boundary of the conceptual site plan be designated as AC/DC (alternating current/direct current hook-up) parking.

**FISCAL IMPACT:** Not Applicable.

**RECOMMENDATION(S):** Motion to approve.

**Attachment(s):** Planning report, conceptual master plan, land use map, subject site map, and aerial.

Exhibit "A":

Original Report Date: 1/19/00

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**TOWN OF DAVIE  
Development Services Department  
Planning & Zoning Division Staff  
Report and Recommendation**

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**APPLICANT INFORMATION**

**Owner:**

**Name:** Jolmy Enterprises, Inc.  
**Address:** 2147 Mont Peliar  
**City:** Weston, FL 33326  
**Phone:** (954) 389-4744

**Agent:**

**Name:** Bill Myers  
**Address:** 2147 Mont Peliar  
**City:** Weston, FL 33326  
**Phone:** (954) 389-4744

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**BACKGROUND INFORMATION**

**Application Request:** To rezone approximately 45 acres of property from A-1, Agricultural Estate District (County), A-5, Agricultural-Excavation District (County), M-3, General Industrial District (Hacienda Village), and M-4, Limited Heavy Industrial District (County), to TS, Planned Truck Stop District.

**Address/Location:** 4751 SW 30th Street / Generally located at the southeast corner of the Florida Turnpike and I-595, west of Burris Road.

**Land Use Plan Designation:** Industrial

**Zoning:** A portion of A-1, Agricultural Estate District (County), a portion of A-5, Agricultural-Excavation District (County), a portion of M-3, General Industrial District (Hacienda Village), and a portion of M-4, Limited Heavy Industrial District (County)

**Existing Use:** Vacant Land

**Proposed Zoning:** TS, Planned Truck Stop District

**Proposed Use:** Truck stop and associated uses.

**Parcel Size:** 44.5 acres (1,938,420 square feet)

**Surrounding Land Use:**

**North:** State Road 84 / I-595

**South:** Trailer Park, across State Road 84, surplus right-of-way.

**East:** State Road 84, I-595, State Road 7 interchange.

**West:** Florida Turnpike / State Road 84 interchange.

**Surrounding Zoning:**

**North:** M-3, General Industrial District (Hacienda Village)

**South:** M-4, Limited Heavy Industrial District (County)

**East:** M-3, General Industrial District (Hacienda Village)

**West:** M-3, Intense Manufacturing and Industrial District (County)

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**ZONING HISTORY**

**Related Zoning History:** On December 1, 1999, the Town Council approved Ordinance 99-42, implementing the “Planned Truck Stop District” into the Town of Davie Land Development Code.

**Previous Requests on same property:** None

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**DEVELOPMENT PLAN DETAILS**

**A. BUILDINGS AND ACCESSORY USES:**

1. HOTEL (200 rooms): to include restaurant, cocktail lounge, nightclub, entertainment, electronic communications.
2. TRAVEL CENTER (85,000 square feet): includes convenience stores, fast food restaurants, offices (professional and medical), medical clinic, government, postal courier, limousine service, video games, laundry and dry cleaner, news stand, barber shop, exercise/health facility, shower facilities, retail sales, electronic communications, cocktail lounge/night club, wrecker service, wholesale (not including fuel).
3. GAS PUMPS/CONVENIENCE STORE 12-PUMPS (11,200 square feet): includes retail sales associated with convenience store and gas sales.
4. DIESEL PUMPS 24-PUMPS (2,000 square feet)
5. CONVENIENCE STORE/STORAGE/REPAIR FACILITY (19,000 square feet): to include warehouse, retail sales, diesel sales, wrecker facility, truck service (master repair), certified scales, truck wash, truck sales.
6. TRUCK SALES (40,000 square feet): to include sales and display of trucks, and associated products.

**B. SITE DATA:**

- |                           |                                    |
|---------------------------|------------------------------------|
| 1. Site Area:             | 44.5 acres (1,938,420 square feet) |
| 2. Building Coverage:     | 5% (99,800 square feet)            |
| 3. Total Impervious Area: | 75%                                |
| 4. Pervious Area:         | 20% (includes lake)                |
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## **Applicable Codes and Ordinances**

The Town of Davie Land Development Code is the applicable code.

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### **Comprehensive Plan Considerations**

**Planning Area:** The subject site falls within Planning Area 6. This area includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land use plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flex has been applied to industrial land use plan designated lands on both sides of the Davie Road corridor between State road 84 and Nova Drive. The Town is encouraging development and redevelopment of properties within this area to strengthen the Town's non-residential tax base for the future.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 58.

All proposed buildings will be located on platted land. No additional platting is required.

### **Applicable Goals, Objectives & Policies:**

Future Land Use Policy 9-1: The Industrial category shall provide for the development of diversified facilities necessary to promote strong economic and employment bases for the Town.

Future Land Use Policy 9-2: The Town shall endeavor to expand its economic base through expansion of the industrial and manufacturing sectors of its economy.

Future Land Use Policy 9-4: Industrial land uses shall be located with access to primary transportation facilities, particularly interstates, highways, rail corridors, commercial airports, and navigable waterways. Consistent with Policy 9-2, vacant land with such access shall be examined for potential industrial development.

Future Land Use Policy 9-5: Zoning regulations shall address the impacts normally associated with industrial development, such as noise, vibration, air pollution, and solid/hazardous wastes.

### **Staff Analysis**

In March of 1997, an annexation agreement was executed to annex the subject site into the Town of Davie. It was the intent of the owner, Jolmy, to construct a truck stop facility on the site prior to the agreement. Upon execution of the agreement, Jolmy (owner) was given 30 days to file the necessary rezoning petition to the M-3 and/or B-3 zoning district. However, in the event the proposed uses were not permitted within these zoning districts, the Town Council agreed to consider developing and adopting a new zoning designation to permit all such uses on the property. These uses included a truck stop, gas station, convenience store, fast food restaurant, retail, truck service (major repair), warehouse (storage), office and hotel. During preliminary discussion with the owner, it was identified that there was no existing zoning district which would permit all the proposed uses and in December of 1999 the Town

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## Findings of Fact

### Section 12-309(B)(1)

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (b) The proposed change may create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;
- (c) Existing zoning district boundaries may not be logically drawn in relation to existing conditions on the property proposed for change;
- (d) The proposed change will not adversely affect living conditions in the neighborhood;
- (e) The proposed change may create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or

- (f) The proposed change will not adversely affect other property values;
- (g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (h) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;
- (i) There are substantial reasons why the property cannot be used in accord with existing zoning.
- (j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.
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### **Staff Recommendation**

**Recommendation:** Based upon the above and the overall finding of facts in the positive, staff recommends approval of application no. ZB 5-1-99, subject to the voluntary "declaration of restrictions" as noted herein and conceptual plan attached hereto, and compatibility approval from Broward County for those commercial uses as noted on the conceptual plan, and noting that a special permit from the Town Council is required for development of a hotel or motel within the TS District.

### **Planning and Zoning Board Recommendation**

On January 26, 2000, the Planning and Zoning Board recommended approval (motion carried 5-0, motion by Mr. Stahl, seconded by Mr. Pisula) subject to the planning report and that the two long term parking areas at the southern boundary of the conceptual site plan be designated as AC/DC (alternating current/direct current hook-up) parking.

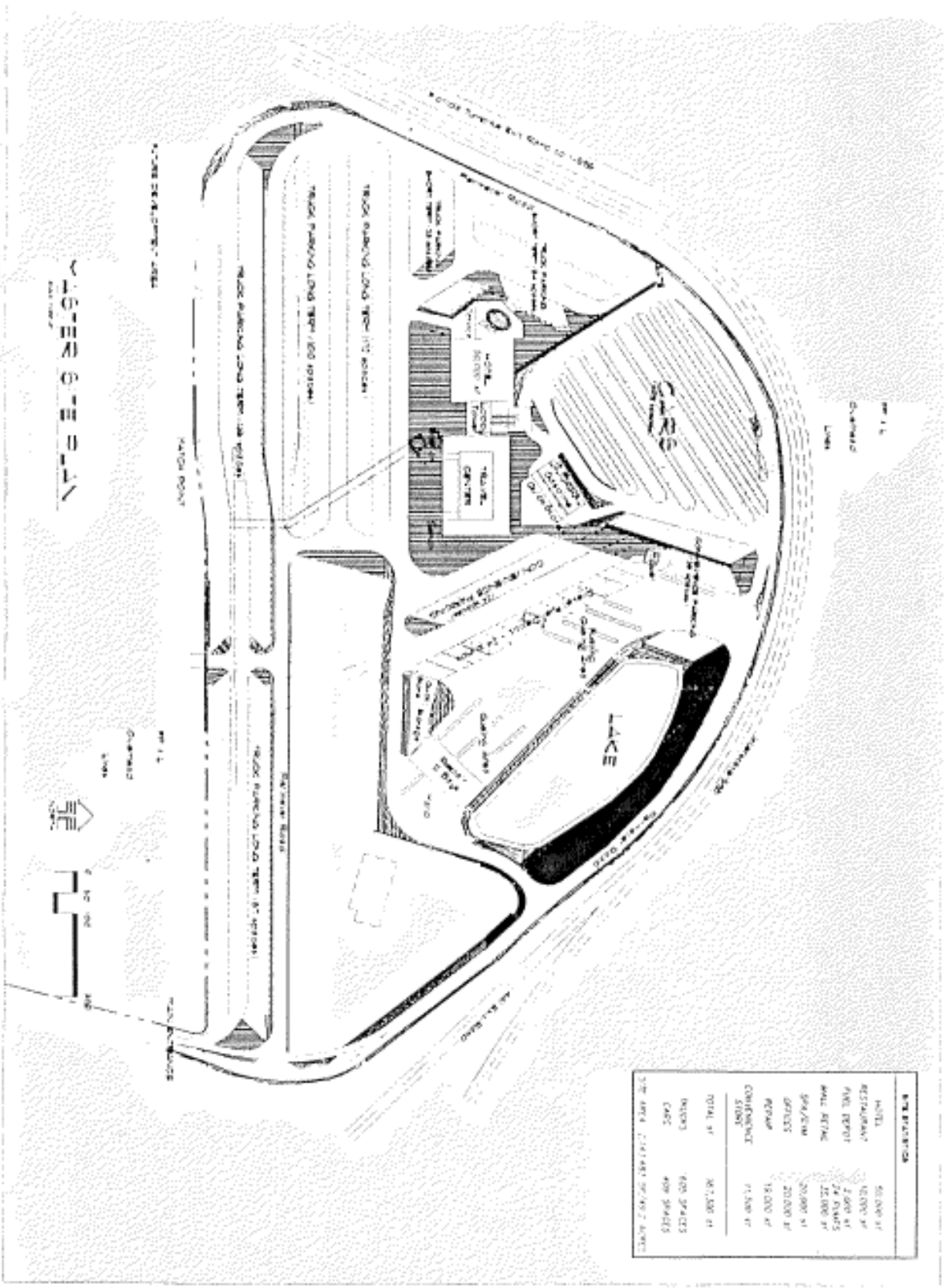
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### **Exhibits**

1. Conceptual Plan Master Plan
2. Land Use Map
3. Subject Site Map
4. Aerial

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



SCHEDULE	
NO. 1	50,000 sq. ft.
NO. 2	10,000 sq. ft.
NO. 3	2,000 sq. ft.
NO. 4	24,000 sq. ft.
NO. 5	22,000 sq. ft.
NO. 6	20,000 sq. ft.
NO. 7	20,000 sq. ft.
NO. 8	18,000 sq. ft.
NO. 9	17,500 sq. ft.
NO. 10	17,500 sq. ft.
NO. 11	17,500 sq. ft.
NO. 12	17,500 sq. ft.
NO. 13	17,500 sq. ft.
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NO. 93	17,500 sq. ft.
NO. 94	17,500 sq. ft.
NO. 95	17,500 sq. ft.
NO. 96	17,500 sq. ft.
NO. 97	17,500 sq. ft.
NO. 98	17,500 sq. ft.
NO. 99	17,500 sq. ft.
NO. 100	17,500 sq. ft.

UNIVERSITY OF ILLINOIS AT CHICAGO  
 ARCHITECTURAL  
 1. SITE PLAN  
 2. FLOOR PLAN  
 3. SECTION  
 4. ELEVATION  
 5. DETAIL  
 6. LANDSCAPE  
 7. INTERIOR  
 8. EXTERIOR  
 9. MECHANICAL  
 10. ELECTRICAL  
 11. PLUMBING  
 12. HEATING  
 13. COOLING  
 14. LIGHTING  
 15. SOUND  
 16. VIBRATION  
 17. AIR QUALITY  
 18. WATER QUALITY  
 19. SOIL QUALITY  
 20. CLIMATE  
 21. HISTORY  
 22. CULTURE  
 23. ECONOMY  
 24. SOCIETY  
 25. POLITICS  
 26. LAW  
 27. MEDICINE  
 28. EDUCATION  
 29. ARTS  
 30. SCIENCE  
 31. TECHNOLOGY  
 32. ENVIRONMENT  
 33. ENERGY  
 34. TRANSPORTATION  
 35. INFRASTRUCTURE  
 36. COMMUNICATIONS  
 37. SECURITY  
 38. DEFENSE  
 39. SPACE  
 40. AEROSPACE  
 41. MARITIME  
 42. AVIATION  
 43. RAILROADS  
 44. HIGHWAYS  
 45. PORTS  
 46. AIRPORTS  
 47. SPACEPORTS  
 48. SUBMARINES  
 49. MISSILES  
 50. WEAPONS  
 51. ARMED FORCES  
 52. MILITARY  
 53. NAVY  
 54. ARMY  
 55. AIR FORCE  
 56. MARINE CORPS  
 57. COAST GUARD  
 58. CUSTOMS  
 59. BORDER PATROL  
 60. IMMIGRATION  
 61. NATURALIZATION  
 62. CITIZENSHIP  
 63. VOTING  
 64. ELECTIONS  
 65. CAMPAIGNS  
 66. POLITICAL PARTIES  
 67. CONGRESS  
 68. SENATE  
 69. HOUSE OF REPRESENTATIVES  
 70. SUPREME COURT  
 71. FEDERAL COURTS  
 72. STATE COURTS  
 73. LOCAL COURTS  
 74. JUDICIAL BRANCH  
 75. EXECUTIVE BRANCH  
 76. LEGISLATIVE BRANCH  
 77. JUDICIARY  
 78. GOVERNMENT  
 79. POLICE  
 80. FIRE DEPARTMENT  
 81. EMERGENCY SERVICES  
 82. PUBLIC SAFETY  
 83. LAW ENFORCEMENT  
 84. SECURITY SERVICES  
 85. PRIVATE SECURITY  
 86. ARMED AND DANGEROUS  
 87. SUSPECT  
 88. ESCAPE  
 89. HIDEOUT  
 90. REFUGES  
 91. SHELTERS  
 92. CONCEALMENT  
 93. HIDEAWAYS  
 94. SHELTERS  
 95. CONCEALMENT  
 96. HIDEAWAYS  
 97. SHELTERS  
 98. CONCEALMENT  
 99. HIDEAWAYS  
 100. SHELTERS



# BUILDINGS

- HOTEL, 200 ROOMS  
restaurant, cocktail lounge, nightclub, entertainment, electronic communications
- TRAVEL CENTER, 85,000 SQ. FT.  
convenience store, fast food restaurants, offices professional and medical, medical clinic, government, postal counter, limousine service, video games, laundry and dry cleaners, news stand, booker shop, electronic health facility, shower facilities, retail sales, electronic communications, cocktail lounge, night club, wrecker service, wholesale (not including fuel).
- GAS FC, 300 / CONV. STORE, 12,000 SQ. FT. / 11,000 SQ. FT.  
retail sales, gas sales
- DIESEL PUMPS, 24,000 SQ. FT.  
CONV. STORE / STORAGE, REPAIR FACILITY, 10,000 SQ. FT.  
warehouse, retail sales, diesel sales, wrecker facility, truck service (minor repair), certified scales, truck wash, truck sales
- TRUCK SALES, 40,000 SQ. FT.  
Sales and display of trucks and associated products.

## PARKING AREAS

- AUTO, 300 SPACES
- TRUCK SHORT TERM, 82 SPACES
- TRUCK LONG TERM, 484 SPACES
- CONVENIENCE PARKING, 59 SPACES

Car parking stall size - 9' X 18'  
Truck parking stall size - 12' X 40'

## SITE DATA

SITE AREA - 44.5  
BUILDING FOOTPRINTS - 59 (99,800-sq-ft)  
TOTAL IMPERVIOUS - 75%  
PERVIOUS AREAS - 20% (incl. lake)  
MINIMUM BUILDING SEPARATION TO PROPERTY LINE OR LEASE LINE - 35'

## LANDSCAPE NOTES:

- No internal landscape islands in parking areas.

## BUILDING HEIGHTS

HOTEL - 100'  
OFFICE - 75'  
CONVENIENCE STORES - 35'  
REPAIR FACILITY - 35'  
WAREHOUSE - 35'

## LIMITATION OF USES/SPECIAL EXCEPTION (OUTSIDE STORAGE)

- Truck wash racks
- Scales
- Temporary storage of refuse from truck wash
- Temporary storage of materials in transit

TRAVEL CENTER  
TOWN OF DAYLE

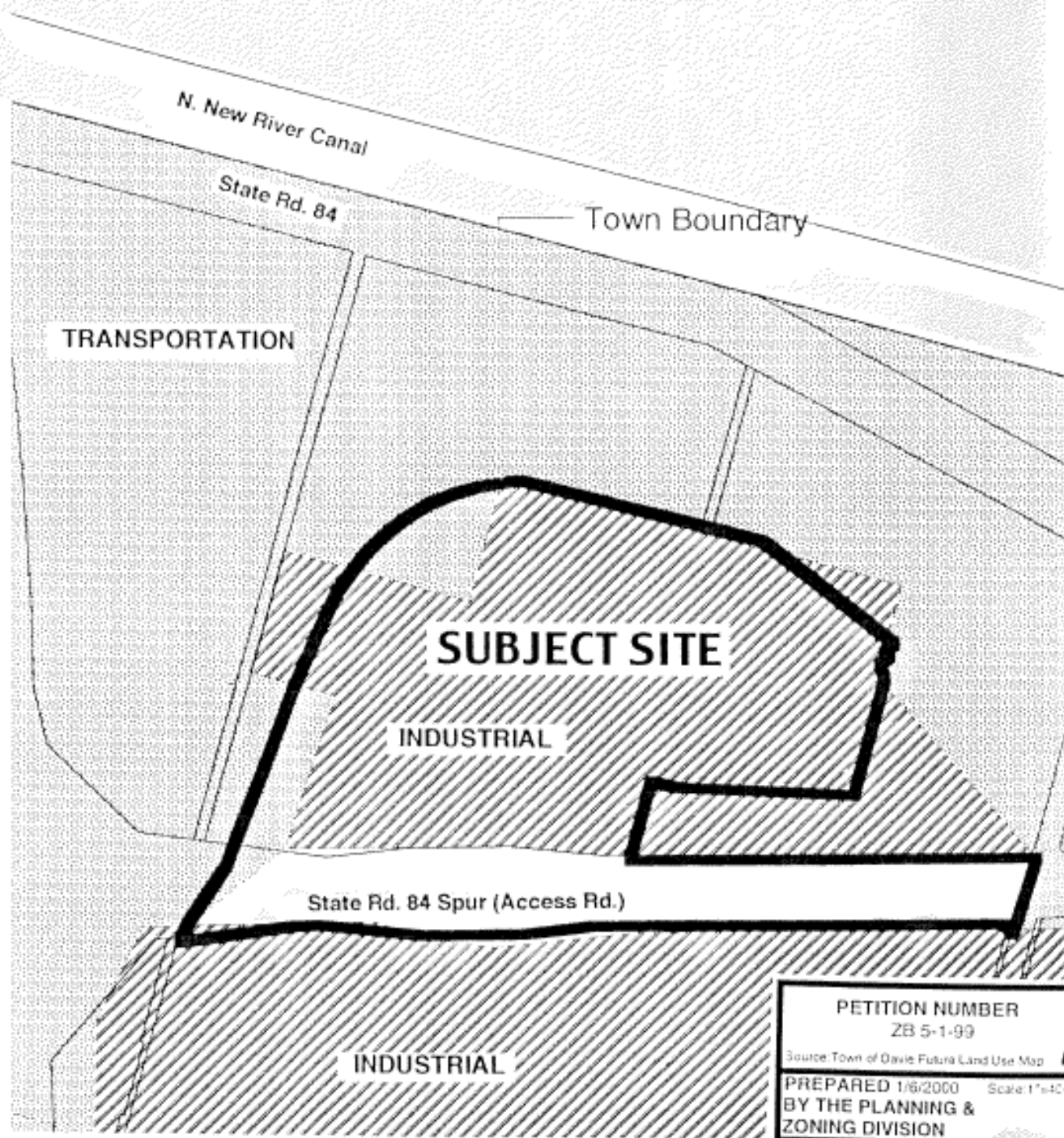
CONCEPTUAL MASTER PLAN

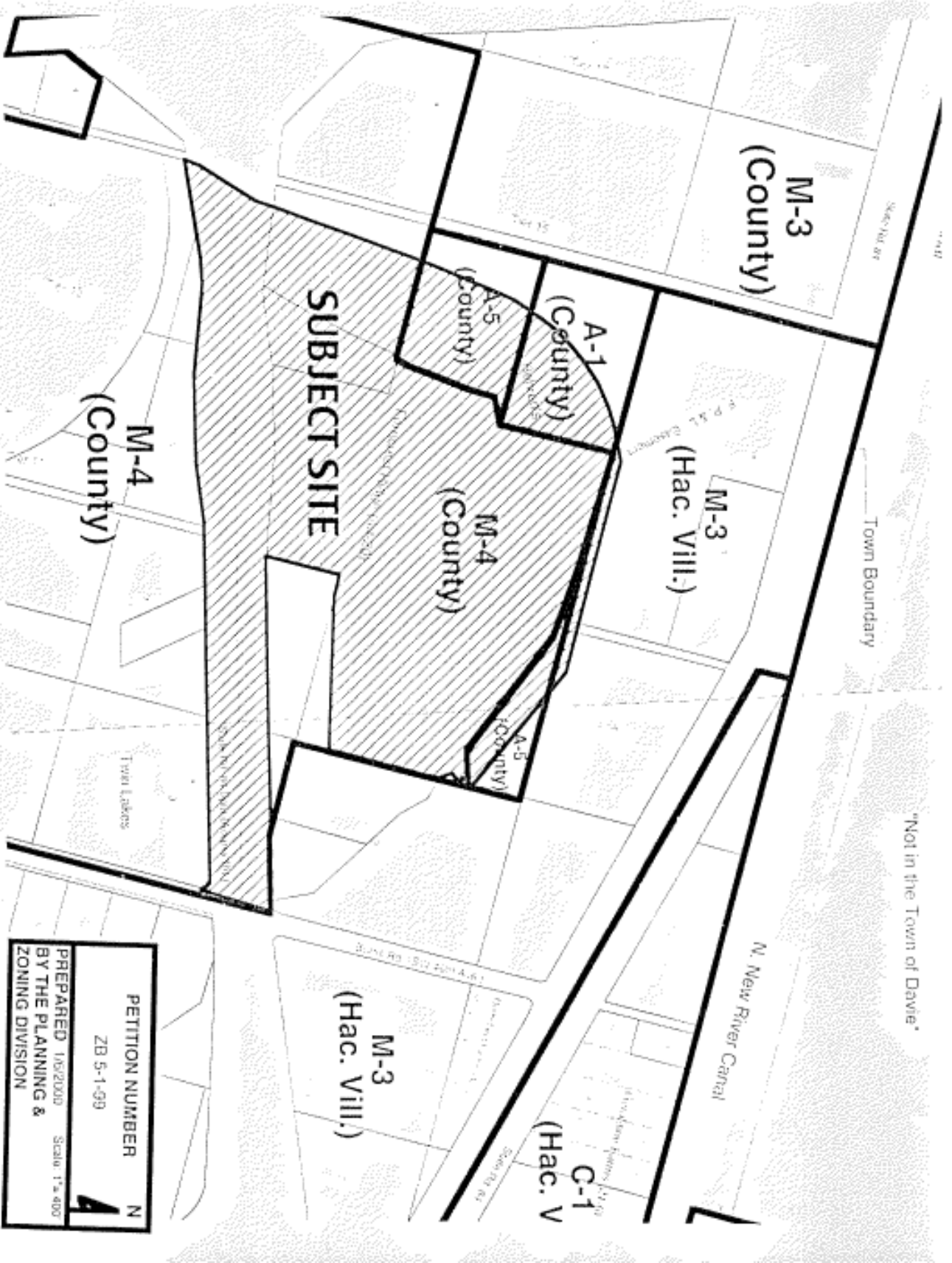


KEITH and SCINARS, P.A.  
ENGINEERS, PLANNERS, SURVEYORS

2

FIGURE





"Not in the Town of Davie"

PETITION NUMBER	N
ZB 5-1-99	
PREPARED 1/6/2000	Scale 1" = 400'
BY THE PLANNING & ZONING DIVISION	

